

“We are a welcoming, active and business-friendly rural foothill community built on California’s rich gold rush history”



City Manager’s Report
October 8, 2024, City Council Meeting
Prepared By: Kristen Hunter, Associate Planner
Item#: 12.1

Subject: Consider a Resolution of Intention (ROI 2024-03) to initiate amendments to the text of the City of Placerville Municipal Code, Title 10, Zoning Ordinance, to comply with new state legislation on Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU).

Recommendation: Adopt a Resolution of Intention (ROI 2024-03) to initiate amendments to the text of the City of Placerville Zoning Ordinance to become consistent with new State legislation (Assembly Bill (AB) 2533, Senate Bill (SB) 1211, SB 477, and SB 1077).

Purpose: To amend Title 10, Zoning Ordinance, of the City’s Municipal Code to be consistent with State legislation that shall become effective on January 1, 2025. All jurisdictions with local ADU and JADU ordinances are required to revise said ordinances to become consistent with the new legislation (AB 2533, SB 1211, 477, and 1077) or the ordinances shall be rendered null and void on January 1, 2025.

Strategic Plan Strategy: Maintain/Improve Quality of Life: Strategy 6 – Maintain and Update Planning Documents.

Discussion: On January 23, 2024, the City Council adopted Ordinance No. 1714, amending Title 10, Zoning Ordinance, to implement new state requirements related to Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU), to amend the City’s zone classifications regarding ADUs and JADUs, and update the definitions and terms for ADUs, JADUs, and other related housing terms.

On March 25, 2024, the Governor of the State of California (Governor Newsom) signed into law Senate Bill (SB) 477 that became effective on the date of its approval. SB 477 made changes and reorganizations of provisions relating to the creation and regulation of ADUs and JADUs. These changes appear to be non-substantive.

Subsequently, on September 28, 2024, Governor Newsom approved three (3) new bills, including Assembly Bill (AB) 2533, SB 1211, and SB 1077, that shall take effect on January 1, 2025. A brief summary of each bill is provided below:

AB 2533: Amends State ADU/JADU law with respect to legalizing unpermitted ADUs/JADUs created prior to January 1, 2020. The bill further mandates new public-notification requirements about limits on local regulations, substandard-building criteria, pre-application inspections by a private contractor, and addresses the scope of city inspections and limits on remedial actions.

SB 1211: Amends State ADU/JADU law with respect to replacement parking requirements

and further defines “livable space” for the purposes of governing ADUs. The bill further amends the existing ADU/JADU law regarding the number of permitted detached ADUs on lots with existing and proposed multi-family dwellings.

SB 1077: Amends the existing ADU/JADU law to provide guidance on how ADU development is treated under the Coastal Act.

Environmental Review: The proposed Resolution of Intention is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15378 as the adoption of the Resolution of Intention is not a ‘project’ as defined under CEQA.

Zoning Amendment Procedure: Pursuant to City of Placerville Zoning Ordinance Section 10-1-7, an amendment to the Ordinance may be initiated by a resolution of intention or minute order of the City Council; resolution of intention of the Planning Commission, or by a petition of an owner of property affected by amendment.

The Resolution of Intention, if approved by the City Council, will direct staff to initiate draft changes to the text of the Zoning Ordinance as necessary to implement the proposed text amendment. Upon completion of the draft amendments and an environmental analysis of the draft amendments, staff will prepare, circulate, and publish public notice in compliance with Section 10-1-7 of the Zoning Ordinance. A public hearing will be scheduled for the Planning Commission to consider the draft amendments, the environmental analysis prepared, and any public comment received. The Commission will then make a recommendation on the draft amendments and the environmental analysis document to the City Council. The City Council shall then schedule a public hearing, giving proper notice in compliance with Section 10-1-7. The Council may then adopt or reject the amendment, or any part thereof as set forth in the Planning Commission’s recommendation.

Options:

1. Adopt the Resolution of Intention as recommended by staff.
2. Do not adopt the Resolution of Intention and direct staff to revise the Resolution of Intention.
3. Do not adopt the Resolution of Intention.

Cost: There is no cost for the consideration and potential adoption of the Resolution of Intention. Should the City Council adopt the Resolution of Intention the costs associated with amending the Zoning Ordinance would be borne by the City under the General Fund.

Budget Impact: Consideration and potential adoption of the Resolution of Intention will have no budget impact.



M. Cleve Morris, City Manager



Pierre Rivas, Development Services Director